

REMARKS

At the outset, the Applicant wishes to thank Patent Examiner Nasser Ahmad for the many courtesies extended to the undersigned attorney during the Personal Interview on January 30, 2008, at the U.S.P.T.O. The substance of this Personal Interview is set forth in the Examiner Interview Summary, and in this Amendment.

The amendments to this patent application are as follows. Independent claims 31 and 32 are being amended in order to recite "only one" plastic layer with release properties and "only one" adhesive layer. The Specification is also being amended in order to provide support for this language added to claims 31 and 32. FIGS. 1 and 2 of the drawings illustrate these features which are now specifically set forth in claims 31 and 32. Thus, no new matter has been added.

On Page 2 of the Office Action, it is respectfully noted that the Patent Examiner has withdrawn the rejection of claims 27-29, and 31-32 under 35 U.S.C. 102(b) as being anticipated by *Pedginski* (WO 95/33013) pursuant to the Amendment filed on July 5, 2007.

Also on Page 2 of the Office Action, the Patent Examiner has rejected claims 27-29, and 31-35 under 35 U.S.C. 103(a) as being

unpatentable over *Shibano* (U.S. Patent No. 4,339,485) in view of *The English Abstract of Japanese Publication: 55122570*.

The Applicant comments upon the prior art rejection of the claims as follows.

As discussed during the Personal Interview on January 30, 2008, there are many differences between the claimed invention and the prior art. One such difference between *Shibano* and the present invention is that according to *Shibano* the adhesive layer and the release layer are not coextruded together. However, the *Japanese Publication '570* does not disclose any coextruding of a release layer together with an adhesive layer.

This Japanese Publication only discloses an LDPE layer (low density polyethylene) which is named a "release layer" which could be coextruded together with an adhesive layer. An LDPE layer is not a "release layer" according to the understanding of one skilled in the art and does not teach a release layer of the present invention. LDPE is not a release material against known adhesives. Therefore it is believed to be in error to name this layer as a "release layer." Any "release layer" such as being useful for LDPE would need to contain silicone components.

These silicone components are a problematic part of a "release layer" which have prevented a simultaneous coextrusion of a release layer and an adhesive layer in the prior art.

Only according to the present invention can these prior art problems presented in the past now be overcome.

Further differences regarding the prior art are as follows. On Page 2 of the Office Action, it was stated that *Shibano* relates to a process for the production of a six layer composite material (col.6, lines 22-32) and teaches a double-sided release liner (three layers) and a double-sided adhesive tape (three layers), thereby the composite will have six layers with a plastic layer that has release properties (col.6, line 23).

During the Personal Interview, the Patent Examiner took the position that the *Shibano* reference teaches a double sided adhesive layer and a double sided release layer. Therefore, it was argued to the Patent Examiner that the teachings of *Shibano* would produce a composite material having different layers in a different order from that produced by the process of the invention. This is the reason why the Patent Examiner agreed during the Personal Interview that the enclosed Amendment distinguishes over *Shibano*.

During the Personal Interview, *Shibano* in column 2, in lines 20 to 25 was discussed and in column 2, in lines 40 to 60, was a discussion of the double coated adhesive and the double coated release layers. Thus, during the Personal Interview there was an agreement with the Patent Examiner that if independent claims 31 and 32 were amended to recite "only one" plastic layer with release properties and "only one" adhesive layer, that this should overcome the prior art rejection with regard to *Shibano* applied against the claims.

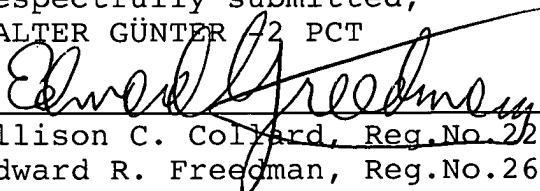
The Substance of the Personal Interview includes that: Applicant proposed to amend the independent claims to additionally recite only one plastic layer that has release properties and only one adhesive layer, which would appear to distinguish from the applied prior art of *Shibano*. Applicant is reminded that the application is under Final rejection and the proposed Amendment will raise a new issue that has not been considered before. Hence, an RCE is also now being filed to have this Amendment entered and considered.

For all of the above reasons, none of the prior art references provide an identical disclosure of the claimed invention. Hence, the present invention is not anticipated under 35 U.S.C. 102, but is patentable under 35 U.S.C. 103 over all the prior art applied by

the Patent Examiner. Withdrawal of these grounds of rejection is respectfully requested. A prompt notification of allowability is respectfully requested.

Respectfully submitted,
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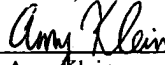
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Enclosure: Copy of Petition for Three Month Extension of Time
(Large Entity)

EXPRESS MAIL NO. **EM 184 378 429 US**

Date of Deposit: **March 28, 2008**

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10, on the date indicated above, and is addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Amy Klein

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